

CHAPTER 69 (Revised 9/7/04)

ABSENTEE VOTING

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Section 1. Absentee voting; eligible persons.

Any qualified voter, who does not plan to vote in the city on the day of an election, may cast an absentee ballot.

Section 2. Absentee ballots; application; filing.

- A. A person who wants to vote by absentee ballot may request an absentee ballot either in person or by mailing his/her written application to the city clerk.
- B. An application made by mail must be received by the city clerk no more than twenty days, nor less than three days before a city election. An application made in person must be filed with the city clerk not more than twenty days before the city election, and no later than noon on the day before a city election.
- C. The application must be signed by the applicant and show his/her place of residence.
- D. Any voter present in the city who requires an absentee ballot shall personally obtain the ballot from the city clerk.
- E. Nothing in this section is intended to limit the city clerk from personally delivering a ballot to a person who, because of a disability, is unable to apply in person at the city clerk's office for an absent voter's ballot. The city clerk may deliver an absentee ballot to a disabled person living within the city at any time until the polls close on election day.

Section 3. Ballot and envelope form.

The ballot provided to absentee voters shall be identical to the ballots prepared for regular voters for use on election day. The ballot envelope shall be smaller than the return envelope so it may easily be enclosed in the return envelope. The ballot envelope shall be marked "Ballot Envelope" and have no other marks on it. The ballot envelope and the return envelope shall be of heavy opaque paper. The return envelope shall have printed upon its back the affidavit and certification shown at the end of this chapter.

Section 4. Absentee voting procedures.

- A. The Clerk shall provide each eligible absentee voter with an official ballot prepared in accordance with Chapter 62, Section 4, together with a ballot envelope and a prepaid return envelope.
- B. The clerk shall not issue an absentee ballot sooner than 10 days before the election.
- C. Upon issuing an absentee ballot to a voter, either by mail or by personal delivery, the clerk shall enter

in the blank register the following information: the number of the ballot issued, the name of the voter to whom it was issued, and the date on which the ballot was issued. Before opening the polls on election day the clerk shall deliver to the election judges a list of the voters who have requested to vote absentee.

- D. To be counted, an absentee voter's ballot must be executed before the polls close in the city and be received by the clerk prior to the time the ballots are canvassed by the election review committee.
- E. All supplies necessary for the voter to cast and return his/her ballot will be furnished by the clerk. No city official may make any charge for services rendered to any voter under the provisions of this Chapter.

Section 5. Absentee ballots; delivery.

When the clerk receives an application for an absent voter's ballot, the clerk shall check the latest state voter registration listings to ensure the applicant is registered in accordance with state law (AS 15.07). If the applicant is properly registered, the clerk shall deliver to the applicant, personally or by mail to the address given by the applicant, an official ballot for the election, a ballot envelope, and a return envelope. If the absentee voter's ballot is personally delivered, the absentee voter shall secretly mark the ballot in the presence of the clerk, in a manner which permits the clerk to be certain that the voter personally marked the ballot, but which does not permit the clerk to see how the voter voted. The voter shall fold the ballot and seal it in the ballot envelope, and seal the ballot envelope inside the return envelope. The voter shall then complete and swear to the affidavit printed on the back of the return envelope and deliver it to the clerk. The clerk shall certify to the affidavit on the return envelope, write or stamp his/her name across its seal, and retain the envelope in his/her custody to be delivered to the council for canvassing.

Section 6. Absentee voting at clerk's office; absentee voter's ballot.

Any voter issued an absentee ballot may, at any time before the day of the election for which it is issued, appear at the office of the city clerk and vote in the following manner:

The voter first shall show the city clerk that his/her ballot has not been marked, then shall secretly mark the ballot in the presence of the clerk, in a manner that permits the clerk to be certain that the voter personally marked the ballot, but does not permit the clerk to see how the voter voted. The voter shall fold the ballot and place it in the ballot envelope, then place the ballot envelope in the return envelope. Then the voter shall complete and swear to the affidavit printed on the back of the return envelope, and deliver it, properly sealed, to the city clerk. The city clerk shall certify to the affidavit printed on the return envelope, write or stamp his/her name across its seal, and retain the envelope in his/her custody to be delivered to the council for canvassing.

Section 7. Absentee ballots; executing outside city.

Any voter issued an absentee ballot may, at any time before the polls close on the day of the election for which the ballot is issued, appear before any person authorized by law to administer oaths and in the presence of such officer cast his/her ballot in the same manner as he/she would cast it in the office of the city clerk under Section 6 of this chapter. After writing or stamping his/her name across the seal of the return envelope, the officer shall return it to the voter who shall mail it to the city clerk.

Section 8. Voting at the polls, absentee voters; surrender of materials.

If a voter who was issued an absentee ballot returns to the city on election day, he/she shall not vote at the polling place unless he/she first surrenders to the election board the absentee ballot, ballot envelope, and return envelope issued to him/her. Unused absentee ballots, ballot envelopes and return envelopes shall be returned to the election supervisor by the election board with other ballots not used at the polling place.

Section 9. Retention of absentee ballots; delivery.

The city clerk as election supervisor shall retain in the office safe all absentee ballots received until the time the city

council meets as the election review committee to canvass the election. At this time the clerk shall deliver all absentee ballots received to the election review committee to be counted and included in the final vote tally of the election. Absentee ballots must be received by the time of the meeting to be counted.

Section 10. Liberal construction.

This Chapter shall be liberally interpreted, so as to accomplish the purposes set forth.